

Notice of Allowability

Application No.

09/725,080

Examiner

Thomas A. Dixon

Applicant(s)

HIMES, STEVEN G.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 22 October 2004.
2. ☒ The allowed claim(s) is/are 31, 45, 60, 61, 75, 90, 116, 120, 131, 159-162, 164-176, 178-185, 187-199, 201-204, 217-220, 222-240 and 243-245.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of the:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the _____ International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☒ to Paper No./Mail Date 11/8/02.

(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of _____, do not disclose or fail to provide a customer in an

Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/22/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413),

Paper No./Mail Date _____

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____

Best Available Copy

Art Unit: 3629

DETAILED ACTION

1. The IDS filed on 22 October 2004 has been considered.
2. The drawings are objected to by the draftsman, see drawing review 11/8/02.
3. The rejected claims 1, 15, 30, 101, 136-139, 141-146, 148-150, 152-153, 155-157, 205-208, 210-212, 214-216, 241-242 have been cancelled.

Allowable Subject Matter

4. Claims 31, 45, 60, 61, 75, 90, 116, 120, 131, 159-162, 164-176, 178-185, 187-199, 201-204, 217-220, 222-240, 243-245 are allowable.

5. The following is an examiner's statement of reasons for allowance:

As per Claims 31, 60, 61, 116, 120.

The prior art of record, specifically Chapin Jr. (5,931,878) in view of Yacoob (6,170,742) further in view of Fulcher et al (6,505,774) further in view of Filepp et al (5,347,632) or Collins-Rector et al (6,188,398), do not disclose or fairly teach:

providing a customer incentive package with selectively offered incentives, wherein the incentives are at least in part associated with prior maintenance service performed on a vehicle by a vehicle service entity associated with the data management system and wherein the incentives are at least in part associated with recommended maintenance services to be performed on the vehicle by the service entity and wherein the incentives are selectively offered based at least in part on a maintenance schedule for a customer; and

As per Claims 45, 75, 90, 101, 131.

The prior art of record, specifically Chapin Jr. (5,931,878) in view of Yacoob (6,170,742) further in view of Fulcher et al (6,505,774) further in view of Filepp et al (5,347,632) or Collins-Rector et al (6,188,398), do not disclose or fairly teach:

providing a customer incentive package with selectively offered incentives, wherein the incentives are at least in part associated with prior maintenance service performed on a vehicle by a vehicle service entity associated with the data management system and wherein the incentives are at least in part associated with recommended maintenance services to be performed on the vehicle by the service entity and wherein the incentives are selectively offered based at least in part on a maintenance schedule for a customer; and

the response data comprising recommended services, a savings amount during a visit and a total savings amount to date, based on the prior maintenance service.

The claims that depend from the above are allowed for the same reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 3629

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (703) 305-4645. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Dixon
Primary Examiner
Art Unit 3629

November 04

Examiner Initials ¹	Cite No. ²	Foreign Patent Country Code ³ -Number ⁴ -R ⁵
1. Examiner Signature		

EXAMINER: Initial if reference considered, none considered. Include copy of this form with final action.
Applicant's proper filing date must be indicated by the examiner code (WFO) precede the serial number of the patent document.
Applicant file place a check mark in the box.